

IN RE: PETITION FOR VARIANCE
E/S Old York Road, 921' N of
Paper Mill Road
(14525 Old York Road)
10th Election District
3rd Councilmanic District

Jacksonville Church of God
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-321-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 14525 Old York Road, located in the vicinity of Paper Mill Road in Jacksonville. The Petition was filed by the owner of the property, Jacksonville Church of God, through David A. Jennings and Arthur W. Roban, Trustees. The Petitioner seeks relief from Section 1A01.3.B to permit a side yard setback of 19 feet in lieu of the required 35 feet for a proposed garage and to approve a minor amendment to the previously approved special exception in Case No. 93-452-X accordingly. The subject property and relief sought are more particularly described on the site plans submitted which were accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Reverend Robert Groves, Pastor of Jacksonville Church of God, and William G. Ulrich and Bruce E. Doak, Professional Engineers with Gerhold, Cross and Etzel, the engineering firm which prepared the site plans for this project. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 4.99 acres, more or less, zoned R.C.2, and is the site of the Jacksonville Church of God. The property is improved with a church building and existing parsonage which were approved pursuant to

ORDER RECEIVED FOR FILING

Date

By

RECEIVED

prior Case No. 93-452-X. The Petitioner now comes before me seeking a minor amendment to the previously approved site plan in that case to construct a garage addition onto the existing parsonage at the end of the driveway as shown on Petitioner's Exhibit 1. However, due to the location of existing improvements on the property, the requested variance is necessary in order to proceed as proposed. Furthermore, an amendment to the previously approved site plan in Case No. 93-452-X is necessary to incorporate the proposed improvements.

As noted above, there were no Protestants at the hearing and there were no adverse comments by any Baltimore County reviewing agency. Therefore, it appears the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

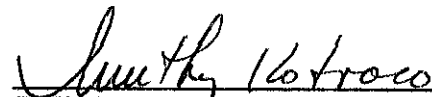
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of April, 1996 that the Petition for Variance seeking relief from Section 1A01.3.B to permit a side yard setback of 19 feet in lieu of the required 35 feet for a proposed garage and to approve a minor amendment to the previously approved special exception in Case No. 93-452-X, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/16/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 16, 1996

Rev. Robert W. Groves
14523 Old York Road
Jacksonville, Maryland 21131

RE: PETITION FOR VARIANCE
E/S Old York Road, 921' N of Paper Mill Road
(14525 Old York Road)
10th Election District - 3rd Councilmanic District
Jacksonville Church of God - Petitioner
Case No. 96-321-A

Dear Rev. Groves:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Bill Ulrich and Bruce Doak, Gerhold, Cross & Etzel,
320 E. Towsontown Boulevard, Suite 100, Towson, Md. 21286

People's Counsel

File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

14525 Old York Road

96-321-A

which is presently zoned

RC2

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Side yard set back of 19' in lieu of required 35' Section 1A01.3.B and to approve a Minor Amendment to the Special Exception Zoning Case No.93-452-X.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

NOTE: SEE ATTACHED EXHIBIT A

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

Jacksonville Church of God

(Type or Print Name)

Trustee

Signature

(Type or Print Name)

Signature

14525 Old York Road

Address

Phone No.

Jacksonville

MD

21131

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Rev. Robert W. Groves

Name

14523 Old York Road

527-0253

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

MICROFILM

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

321
EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

February 7, 1996

96-321-A

EXHIBIT A

The existing church and parsonage existed prior to November 26, 1979 during which time they were permitted as of right. Since the area of the original church lot was decreased, we obtained a special exception for church use (see Zoning Case #93-452-X).

The church proposes to improve the parsonage with a attached garage as shown on the accompanying plat. It would be a practical difficulty to put the proposed garage in the rear area at the allowable 2.00 foot side yard and would necessitate the removal of large trees for the garage and new driveway paving.

The garage as proposed is of an architectural, functional, and environmental design better fitted to the parsonage and the neighborhood. There will be very minimal damage to the wooded area as the existing driveway paving will be incorporated and a very minimal removal of the forest area. There will be no increase in density and no injury to public health, safety, and general welfare. We will be in harmony with building regulations and be consistent with the impermeable surface and vegetative retention provisions of the Baltimore County Zoning Regulations.

321

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

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CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

76-321-A

February 6, 1996

Zoning Description Jacksonville Church of God 14525 Old York Road

Beginning for the same on the east side of Old York Road, as widened, at a distance of 921 feet Northerly from the centerline of Jackson Ridge Court, running thence and binding on the east side of Old York Road, as widened, by a line curving to the right having a radius of 886.17 feet and for an arc distance of 98.78 feet and North 20 degrees 02 minutes East 125.45 feet, thence leaving the Old York Road and binding on and running through the land of the herein Petitioner the five following courses and distances viz: North 88 degrees 17 minutes East 894.44 feet, South 03 degrees 17 minutes West 94.48 feet and South 88 degrees 17 minutes West 386.90 feet, South 01 degree 43 minutes East 116 feet and South 88 degrees 17 minutes West 577.22 feet to the place of beginning.

Containing 3.451 Acres, more or less.



William B. Ullrich

96-321-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10th Date of Posting 3-21-96
Posted for: April 8, 1996 hearings
Petitioner: Jacksonville Church of God
Location of property: 14525 Old York Rd
Location of Signs: _____
Remarks: _____
Posted by Mark Gavel Date of return: _____
Number of Signs: 1 Signature _____



NOTICE OF HEARING

The Zoning Commission of Baltimore County is holding a public hearing on the proposed rezoning of the following property:

Room 106 of the County Office Building, 171 N. Calverton Avenue, Towson, Maryland 21204, at Room 118, Old Courthouse, 400 Washington Avenue, Annapolis, Maryland 21403-5505.

Case #93-321-A
(Plan 321)
14525 Old West Road
658 Old York Road, 921' N of Paper Mill Road
10th Election District
3rd Councilmanic
Legal Owner(s):
Jacksonville Church of God
Variance: for a side yard setback of 43 feet in lieu of the required 35 feet and to approve a minor amendment to the special exception in case #93-452-X.
Hearing: Monday, April 2, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for Special Accommodations Please Call 887-3353.
(2) For information concerning the file and/or hearing, Please Call 887-3351.

3/1/96 Mar 14 C37135

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

By JLL # 321

No. 512577

DATE

2/23/96

ACCOUNT

R0016150

96-321-A

AMOUNT

\$ 285.00

RECEIVED
FROM:

JACKSONVILLE CHURCH OF GOD + GC FE
FOR 14525 OLD YORK RD.

1 CV 250.00

FOR:

1 SIGN 35.00

285.00

0704180014MICHRC

\$285.00

84 1011421AM02-23-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 321

Petitioner: JACKSONVILLE CHURCH OF GOD

Location: 14525 OLD YORK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JACKSONVILLE CHURCH OF GOD

ADDRESS: 14525 OLD YORK ROAD

JACKSONVILLE, MO. 21131

PHONE NUMBER: 527-0253

AJ:ggs

(Revised 04/09/93)



TO: PUTOKENT PUBLISHING COMPANY
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Jacksonville Church of God
14525 Old York Road
Jacksonville, MD 21131
527-0253

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-321-A (Item 321)
14525 Old York Road
E/S Old York Road, 921' N of Paper Mill Road
10th Election District - 3rd Councilmanic
Legal Owner: Jacksonville Church God

Variance for a side yard setback of 19 feet in lieu of the required 35 feet and to approve a minor amendment to the special exception in case #93-452-X.

HEARING: MONDAY, APRIL 8, 1996 at 9:00 a.m in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

APPROVED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-321-A (Item 321)
14525 Old York Road
E/S Old York Road, 921' N of Paper Mill Road
10th Election District - 3rd Councilmanic
Legal Owner: Jacksonville Church God

Variance for a side yard setback of 19 feet in lieu of the required 35 feet and to approve a minor amendment to the special exception in case #93-452-X.

HEARING: MONDAY, APRIL 8, 1996 at 9:00 a.m in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Jacksonville Church of God/Rev. Robert W. Groves

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1996

David A. Jennings, Trustee
Jacksonville Church of God
14525 Old York Road
Jacksonville, MD 21131

RE: Item No.: 321
Case No.: 96-321-A
Petitioner: Jacksonville Church
of God

Dear Mr. Jennings:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-1-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 321 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

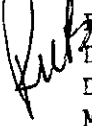
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 11, 1996

FROM:  Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for March 11, 1996
Items 316, 317, 318, 319, 320, 321, 322

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:jrb

cc. File

ZONE1

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: March 7, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 316, 317, 319, 321, 322, 325, 327, 329, 330, and 333 9

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 03/06/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JACKSONVILLE CHURCH OF GOD

Location: E/S OLD YORK RD., 921' N OF PAPER MILL RD. (14525 OLD YORK RD.)

Item No.: 321

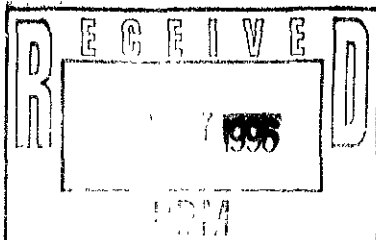
Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

#320 --- JJS

1. Receipt still in folder, not given to petitioner.

#321 **JLL**

1. No telephone number for legal owner.

#322 --- JLL

1. Two contract purchasers listed on petition form - only one signature.
2. Need attorney - legal owner is incorporated.

#232 -- JLL

1. Need printed name and title of person signing for contract purchaser.

[illegible]



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 17, 1995

Bruce E. Doak
Gerhold, Cross & Etzel, Ltd.
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286-5318

RE: Proposed Garage
Jacksonville Church of God
14525 Old York Road
10th Election District

Dear Mr. Doak:

Your letter to Arnold Jablon, Director of Permits Development and Management, has been referred to me for reply. Please excuse the delay of my response.

The proposed residential garage use as shown on the submitted plat, would be permitted as being within the spirit and intent granted in zoning case no. 93-452-X. However, the detached garage would have to be located in the rear yard or a variance of Section 400 of the Baltimore County Zoning Regulations (BCZR) would be required. To be located in the side yard, the garage would have to be functionally connected to the dwelling and a detail of same shown on the plan. However, if attached, it must meet the principal building setback of 35 feet or a variance of Section 1A01.3B.3 of the BCZR would be required.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Sincerely,

A handwritten signature in cursive script, appearing to read "John J. Sullivan, Jr.".

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS/jnw

Enclosure



RE: PETITION FOR VARIANCE
14525 Old York Road, E/S Old York Road,
921' N of Paper Mill Road, 10th
Election District, 3rd Councilmanic

Jacksonville Church of God
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-321-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Rev. Robert W. Groves, 14523 Old York Road, Jacksonville, MD 21131, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Jacksonville Church of God

92-1083

3/11/96
✓ to PG
please try to
as close to 30
day as possible

Rev. Robert W. Groves
Pastor

Robert W. Groves, Jr.
686-5809 Phone
Church Clerk

March 8, 1996

Mr. Arnold Jablon
Director of Permits, Development & Management
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Jablon,

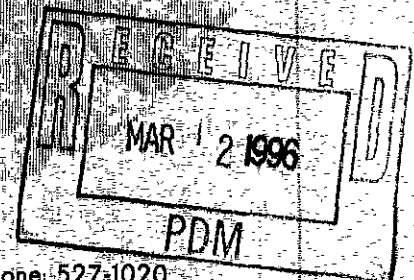
The Jacksonville Church of God has applied for a variance in order to construct a garage, for the existing parsonage. I am told that it will take four to six weeks before there can be a hearing on this matter. I would like to know if this time frame could be shorter? We have a contractor who has given us a special price to build the garage, providing it can be done before the middle of April. I would deeply appreciate it if you could help us in this matter. I want to Thank You for your attention concerning this matter.

Sincerely,

Rev. Robert W. Groves
Rev. Robert W. Groves
Pastor

RWG/pg

MICROFILMED



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BRUCE E. DOAK - GERHOLD, CROSS & ETZEL, LTD

320 E. TOWSONTOWN BLVD. TOWSON MD 21286

REV ROBERT GROVES

14523 OLD YORK RD PHOENIX MD 21131

WILLIAM G. ULRICH GC&E

320 E TOWSON TOWN BLVD TOWSON MD. 21286



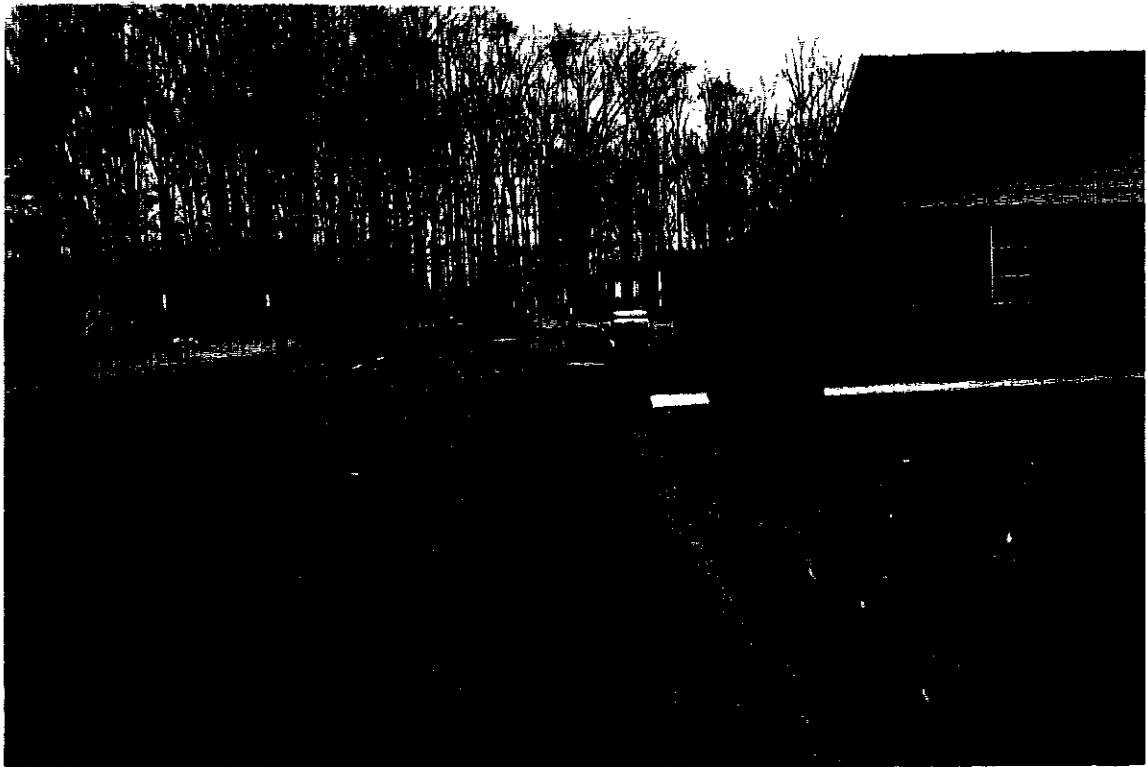
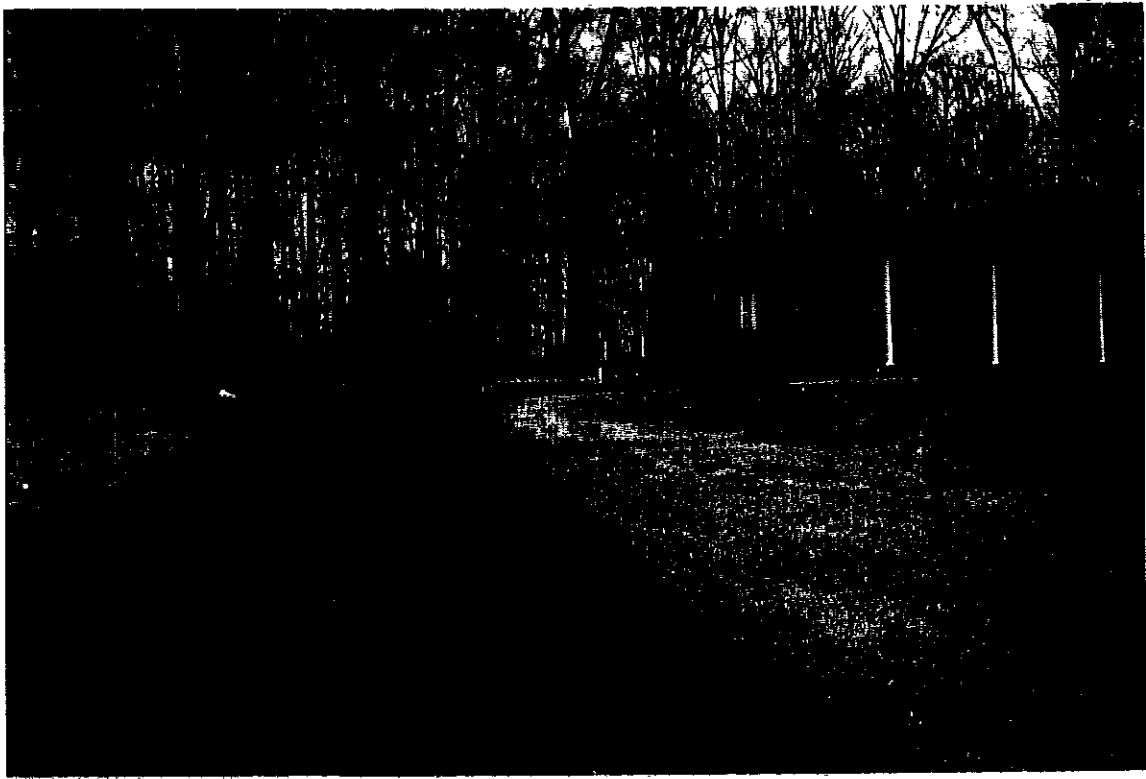
photograph
⑥

Case 96-321-A

ORIGINAL







IN RE: PETITION FOR VARIANCE
E/S Old York Road, 921' N of
Paper Mill Road
(14525 Old York Road)
10th Election District
3rd Councilmanic District
Jacksonville Church of God
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 96-321-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 14525 Old York Road, located in the vicinity of Paper Mill Road in Jacksonville. The Petition was filed by the owner of the property, Jacksonville Church of God, through David A. Jennings and Arthur W. Roben, Trustees. The Petitioner seeks relief from Section 1A01.3.B to permit a side yard setback of 19 feet in lieu of the required 35 feet for a proposed garage and to approve a minor amendment to the previously approved special exception in Case No. 93-452-X accordingly. The subject property and relief sought are more particularly described on the site plans submitted which were accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Reverend Robert Groves, Pastor of Jacksonville Church of God, and William G. Ulrich and Bruce E. Doak, Professional Engineers with Gerhold, Cross and Etzel, the engineering firm which prepared the site plans for this project. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 4.99 acres, more or less, zoned R.C.2, and is the site of the Jacksonville Church of God. The property is improved with a church building and existing parsonage which were approved pursuant to

prior Case No. 93-452-X. The Petitioner now comes before me seeking a minor amendment to the previously approved site plan in that case to construct a garage addition onto the existing parsonage at the end of the driveway as shown on Petitioner's Exhibit 1. However, due to the location of existing improvements on the property, the requested variance is necessary in order to proceed as proposed. Furthermore, an amendment to the previously approved site plan in Case No. 93-452-X is necessary to incorporate the proposed improvements.

As noted above, there were no Protestants at the hearing and there were no adverse comments by any Baltimore County reviewing agency. Therefore, it appears the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result

- 2 -

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of April, 1996 that the Petition for Variance seeking relief from Section 1A01.3.B to permit a side yard setback of 19 feet in lieu of the required 35 feet for a proposed garage and to approve a minor amendment to the previously approved special exception in Case No. 93-452-X, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

April 16, 1996

(410) 887-4386

Rev. Robert W. Groves
14523 Old York Road
Jacksonville, Maryland 21131

RE: PETITION FOR VARIANCE
E/S Old York Road, 921' N of Paper Mill Road
(14525 Old York Road)
10th Election District - 3rd Councilmanic District
Jacksonville Church of God - Petitioner
Case No. 96-321-A

Dear Rev. Groves:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Bill Ulrich and Bruce Doak, Gerhold, Cross & Etzel,
320 E. Towson Boulevard, Suite 100, Towson, Md. 21286

People's Counsel

File

Printed with Supplex Ink
on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14525 Old York Road
which is presently zoned RC2

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3.B and to approve a minor amendment to the Special Exception Zoning Case No. 93-452-X.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

NOTE: SEE ATTACHED EXHIBIT A

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address Phone No.
City State Zipcode

Legal Owner(s)
Jacksonville Church of God
(Type or Print Name)
Trustee
Signature
Address
City State Zipcode
Name, Address and phone number of representative to be contacted
Rev. Robert W. Groves
14523 Old York Road
527-0253
Address Phone No.
City State Zipcode

Printed with Supplex Ink
on Recycled Paper
Revised 9/5/95

MICROFILMED

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318
410-823-4470
FAX 410-823-4473

EXECUTIVE
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP A. CROSS
OF COUNSEL
JOHN A. ETZEL
WILLIAM G. ULRICH

February 7, 1996

EXHIBIT A

The existing church and parsonage existed prior to November 26, 1979 during which time they were permitted as of right. Since the area of the original church lot was decreased, we obtained a special exception for church use (see Zoning Case #93-452-X).

The church proposes to improve the parsonage with a attached garage as shown on the accompanying plat. It would be a practical difficulty to put the proposed garage in the rear area at the allowable 2.00 foot side yard and would necessitate the removal of large trees for the garage and new driveway paving.

The garage as proposed is of an architectural, functional, and environmental design better fitted to the parsonage and the neighborhood. There will be very minimal damage to the wooded area as the existing driveway paving will be incorporated and a very minimal removal of the forest area. There will be no increase in density and no injury to public health, safety, and general welfare. We will be in harmony with building regulations and be consistent with the impermeable surface and vegetative retention provisions of the Baltimore County Zoning Regulations.

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318
410-823-4470
FAX 410-823-4473

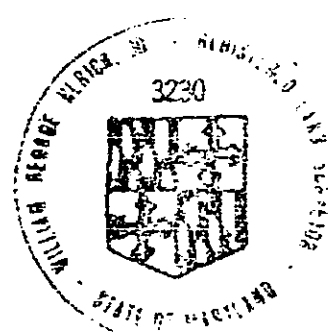
EXECUTIVE
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP A. CROSS
OF COUNSEL
JOHN A. ETZEL
WILLIAM G. ULRICH

February 6, 1996

Zoning Description
Jacksonville Church of God
14525 Old York Road

Beginning for the same on the east side of Old York Road, as widened, at a distance of 921 feet Northerly from the centerline of Jackson Ridge Court, running thence and binding on the east side of Old York Road, as widened, by a line curving to the right having a radius of 886.17 feet and for an arc distance of 98.78 feet and North 20 degrees 02 minutes East 125.45 feet, thence leaving the Old York Road and binding on and running through the land of the herein Petitioner the five following courses and distances viz: North 88 degrees 17 minutes East 894.44 feet, South 03 degrees 17 minutes West 94.48 feet and South 88 degrees 17 minutes West 386.90 feet, South 01 degree 43 minutes East 116 feet and South 88 degrees 17 minutes West 577.22 feet to the place of beginning.

Containing 3.451 Acres, more or less.



William G. Ulrich

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th Date of Posting: 3-21-96
Posted for: April 8, 1996
Petitioner: Jacksonville Church of God
Location of property: 14525 Old York Rd.
Location of Sign:
Remarks:
Posted by: Mark J. Hanel
Number of Signs: 1
Date of return:

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,
A. Henshaw
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, the authority of the Zoning Department of Baltimore County, will hold a public hearing on the property identified herein in Case No. 96-321-A, at the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21286, on Tuesday, April 2, 1996, at 6:00 p.m. in Room 118, for the purpose of considering a petition for a variance from the Zoning Regulations of Baltimore County, Case #96-321-A, to allow a side yard setback of 19 feet in lieu of the required 35 feet and to approve a minor amendment to the Special Exception Zoning Case No. 93-452-X. Hearing location: April 2, 1996 at 6:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. HENSHAW
Zoning Administrator
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21286
410-887-4386

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/23/96 ACCOUNT 20015150
76-321-A AMOUNT \$ 285.00

RECEIVED JACKSONVILLE CHURCH OF GOD + G.C.A.E.
FROM 1CV 250.00
FOR 1STEN 35.00
285.00

VALIDATION OR SIGNATURE OF CASHIER
PK:AGENCY YELLOW-CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 867-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 321
Petitioner: JACKSONVILLE CHURCH OF GOD
Location: 14525 Old York Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: JACKSONVILLE CHURCH OF GOD
ADDRESS: 14525 Old York Road
JACKSONVILLE, MD. 21131
PHONE NUMBER: 527-0253

AJ:ggg (Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
March 14, 1996 Issue - Jeffersonian

Please forward billing to:
Jacksonville Church of God
14525 Old York Road
Jacksonville, MD 21131
527-0253

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-321-A (Item 321)
14525 Old York Road
E/S Old York Road, 921' N of Paper Mill Road
10th Election District - 3rd Councilmanic
Legal Owner: Jacksonville Church God

Variance for a side yard setback of 19 feet in lieu of the required 35 feet and to approve a minor amendment to the special exception in case #93-452-X.

HEARING: MONDAY, APRIL 8, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-321-A (Item 321)
14525 Old York Road
E/S Old York Road, 921' N of Paper Mill Road
10th Election District - 3rd Councilmanic
Legal Owner: Jacksonville Church God

Variance for a side yard setback of 19 feet in lieu of the required 35 feet and to approve a minor amendment to the special exception in case #93-452-X.

HEARING: MONDAY, APRIL 8, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

ARNOLD JABLON, DIRECTOR

cc: Jacksonville Church of God/Rev. Robert W. Groves

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1996

David A. Jennings, Trustee
Jacksonville Church of God
14525 Old York Road
Jacksonville, MD 21131

RE: Item No.: 321
Case No.: 96-321-A
Petitioner: Jacksonville Church of God

Dear Mr. Jennings:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (867-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-1-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 321 (JLC)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2266 (Voice) 1-800-735-2267 (TDD)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

DATE: March 11, 1996

SUBJECT: Zoning Advisory Committee Meeting
for March 11, 1996
Items 316, 317, 318, 319, 320, 321, 322

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:jrb

cc: File

ZONE1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

FROM: Pat Keller, Director
Office of Planning

DATE: March 7, 1996

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 316, 317, 319, 321, 322, 325, 327, 329, 330, and 333

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 867-3480.

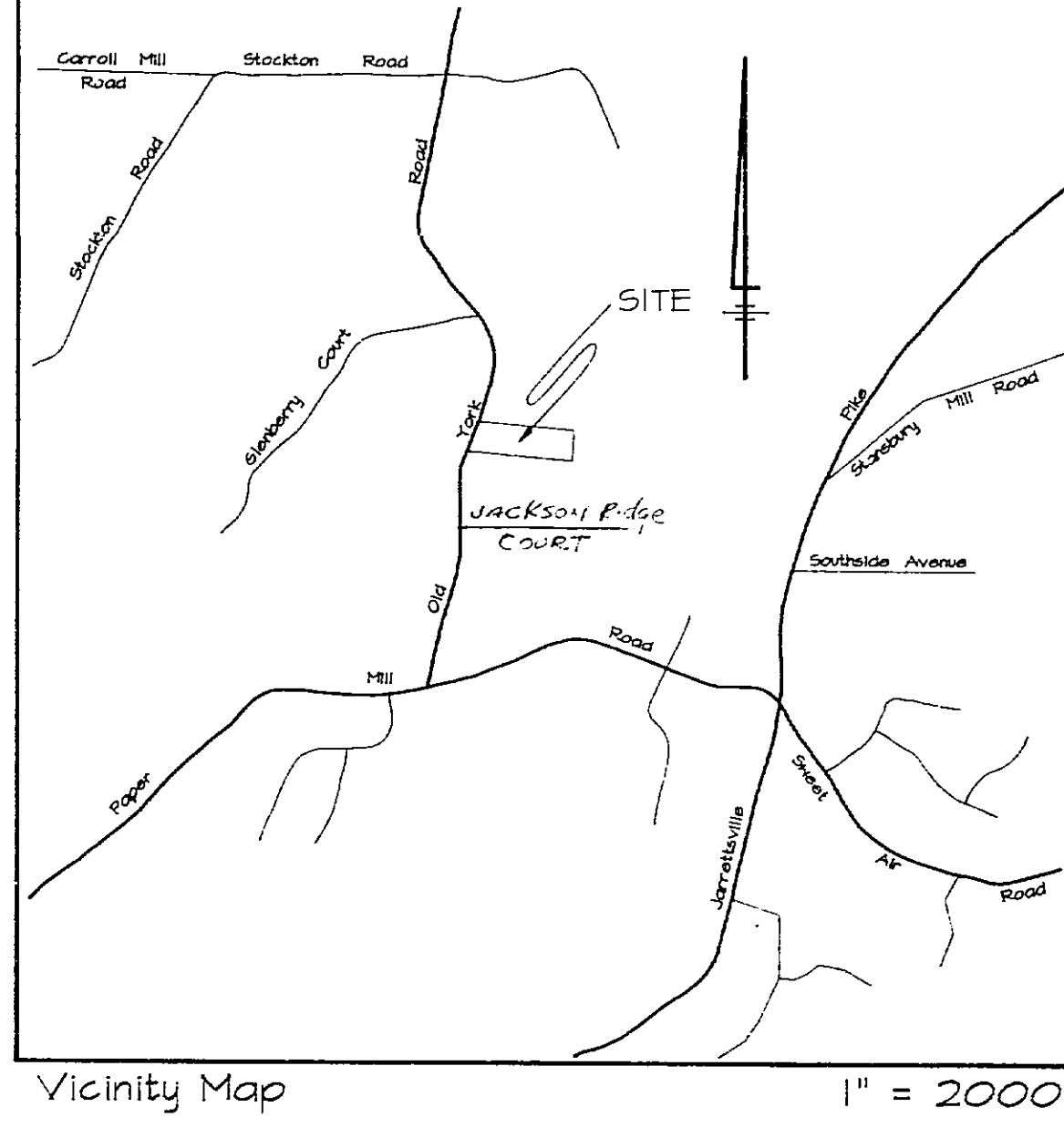
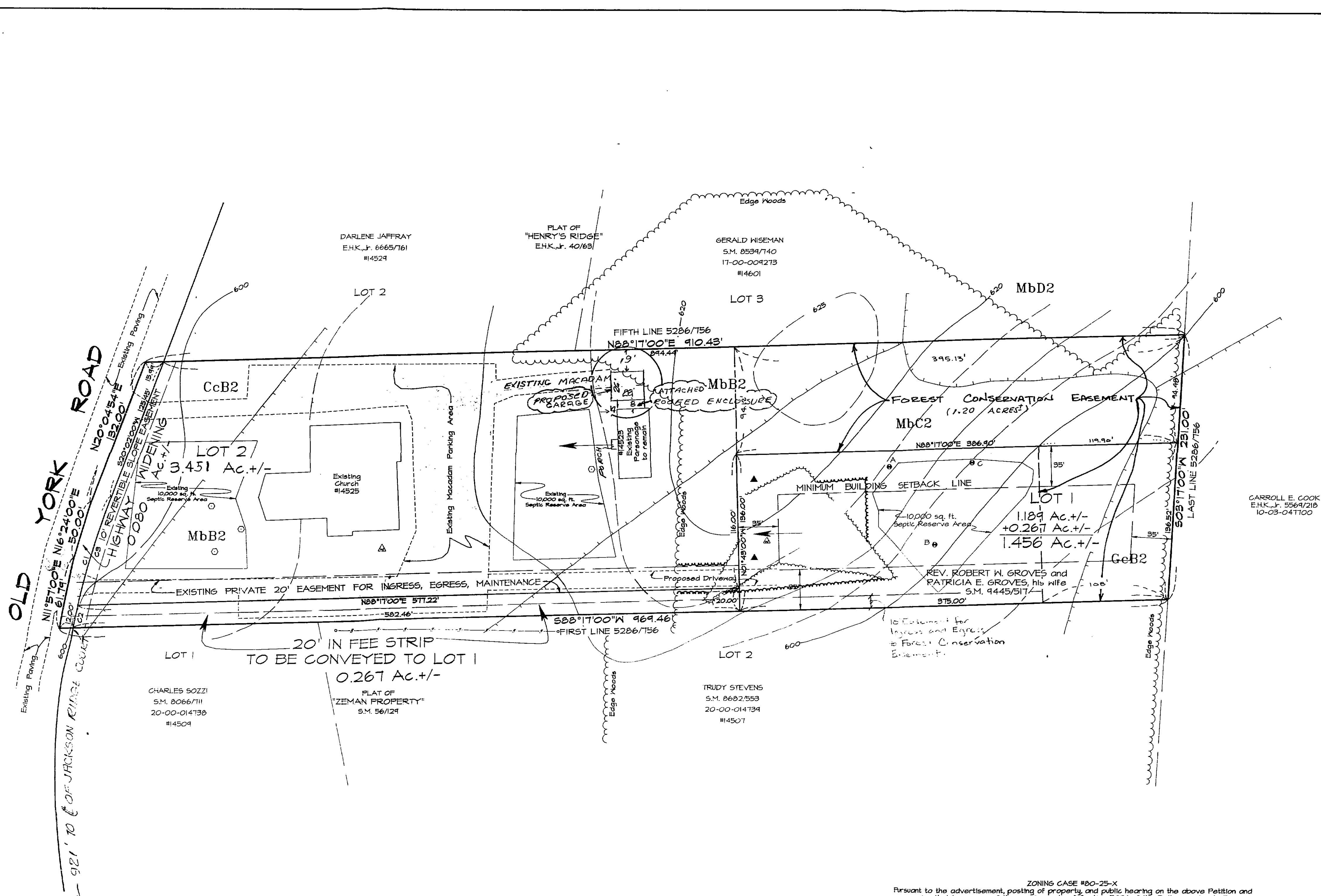
Prepared by: Jeffrey M. Long
Division Chief: Gary L. Krasner

PK/JL

ITEM316/PZONE/ZAC1

MICROFILMED





GENERAL NOTES

- BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL.
- TOPOGRAPHY SHOWN TAKEN FROM BALTIMORE COUNTY PHOTOGRAPHIC MAP NO. 21-C.
- ALL LOTS SHOWN HEREON TO BE SERVED BY PRIVATE WELL AND SEPTIC.
- SOIL TYPES SHOWN TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 18.
- CONVEYANCE DISTRICT 3.
- WATERSHED 0.
- REGIONAL PLANNING DISTRICT 305.
- SCHEMATIC DISTRICT 06.
- HIGHWAY SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED INTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
- BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAN TO USE ALL OR ANY PART OF THE ROAD DESIGNATED AS PRIVATE RIGHT OF WAY FOR THE PURPOSE OF INGRESS, EGRESS, OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT OF WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TV.
- THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT BY THE OWNERSHIP SHOWN SINCE JULY 26, 1972. THE DEVELOPERS ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLING.
- DESIGNATES THE 300' SIGHT LINE. THE AREA BETWEEN THE SIGHT LINE AND THE EDGE OF THE ROAD MUST BE CLEARED, GRADED, AND KEPT FREE OF ALL OBSTRUCTIONS.
- THERE ARE NO UNDERGROUND FUEL STORAGE TANKS APPARENT ON THE SITE.
- ALL EXISTING SEPTIC SYSTEMS, WELLS, AND PERCOLATION TESTS HERE FIELD LOCATED.
- SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREAS.
- ACCESS TO THE EXISTING DWELLINGS IS TO BE MAINTAINED AT ALL TIMES.
- PANHANDLE LOTS TO BE DEDICATED AND MAINTENANCE AGREEMENTS TO BE RECORDED AMONG LOTS REVERSE COLLECTION SHOW REMOVAL AT THE TIME OF PLAN RECDICATION. FOR PANHANDLE LOTS THE PANHANDLE LOT DRIVEWAY AND ROAD MAINTENANCE WILL BE PROVIDED TO THE JOINTION OF THE PANHANDLE LOT DRIVEWAY (RESERVE TO BE COLLECTED BY BALTIMORE COUNTY). SURFACE ON ALL PANHANDLE SECTIONS SHALL BE 3" CR-6 STONE WITH A 3" BITUMINOUS CONCRETE SURFACE SHOWN HEREON AND FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY, ACCESSORY STRUCTURES, FENCES, AND ACCESSORIES INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE EASEMENT, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS, SUBJECT TO GOVERNANTS AND APPLICABLE BUILDING PERMITS.
- ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARD CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDROLOGICAL.
- THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN USED FOR DWELLING PURPOSES TO SUPPORT DWELLINGS SHOWN HEREON SHALL NOT BE FURTHER DIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED HEREON. ON SAID PLAN UTILIZATION HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
- THIS PROPOSED DEVELOPMENT IS IN CLOSE PROXIMITY TO ACTIVE AGRICULTURAL OPERATIONS. IT IS THE DEVELOPERS RESPONSIBILITY TO ADVISE FUTURE HOMEOWNERS THAT AGRICULTURE HAS A PREFERRED USE STATUS AND THAT ODORS, NOISE, DUST, FARM EQUIPMENT, LIVESTOCK, AND THE USE OF AGRICULTURAL CHEMICALS, PESTICIDES, FERTILIZERS, HERBICIDES, AND OTHER CONTROL AGENTS ARE IN ACTIVE USE.
- NO FURTHER SUBDIVISION OF THE PARCEL SHOWN HEREON WILL BE ALLOWED UNLESS APPROVED BY THE BALTIMORE COUNTY PLANNING AND ZONING COMMISSION.
- A HEARING FOR A SPECIAL EXCEPTION FOR A CHURCH USE IN AN RC-2 ZONE IS BEING SUBMITTED TO THE OFFICE OF ZONING.
- There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.

DENSITY CALCULATIONS

GROSS AREA	4.99 Acres +/-
NET AREA	4.507 AC +/-
LOTS PROPOSED	2

Item # 321

PLAT TO ACCOMPANY PETITION FOR A SIDEYARD VARIANCE OF 19' IN LIEU OF REQUIRED 35' AND TO APPROVE A MINOR AMENDMENT TO THE SPECIAL EXCEPT. ZONING CASE NO. 93-452-X

JACKSONVILLE CHURCH OF GOD
 14525 OLD YORK ROAD
 Deed Ref. E.H.K., Jr. 5286 folio 156
 Tax Account No.: 10-10-000260
 Zoned RC-2
 Tax Map 35; Grid 17; Parcel 180
 10th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

MICROFILMED

REVISED FOR ZONING Feb. 6, 1994

Scale: 1" = 50' March 8, 1993

GERHOLD, CROSS & ETZEL
 REGISTERED PROFESSIONAL LAND SURVEYORS
 Suite 100
 520 East Towson Avenue
 Towson, Maryland 21286
 (410) 823-4470

[Handwritten signature]

[Handwritten initials]

96-321-A

ZONING CASE #80-25-X
 Pursuant to the advertisement, posting of property and public hearing on the above Petition and supporting that by reason of the requirements of Section 5021 of the Baltimore County Zoning Regulations having been met, the Special Exception for a Day Care Center should be granted.
 IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of August, 1974 that the herein Petition for Special Exception for a day care center should be and the same is granted, from and after the date of this Order, subject, however, to the following restrictions:

- Limited to children between the ages of three and five years old and 20 in number.
- Hours of operation shall be from 7:00 AM to 5:30 PM, Monday through Friday.
- Approval of a site plan by the Department of Public Works, the Department of Health, the Fire Department, and the Office of Planning and Zoning, including landscaping approval by the Current Planning and Development Division.

ZONING CASE "93-452-X

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of July, 1993 that the Petition for Special Exception to approve a church use on the subject property zoned RC-2, pursuant to Section 1803.1.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

OWNER/DEVELOPER

REV. ROBERT W. GROVES
 JACKSONVILLE CHURCH OF GOD
 14525 OLD YORK ROAD
 JACKSONVILLE, MARYLAND 21181
 410-527-0253

DATE	REVISION
4-21-93	Added F.R.E. 11
8/24/93	Added ZONING CASE 93-452-X
8/24/93	Added Forest Conservation Easement
5/15/93	FIRST SUBMITTAL COMMENTS ADDRESSED
3/14/93	20' IN FEE STRIP FOR LOT 1 ADDED

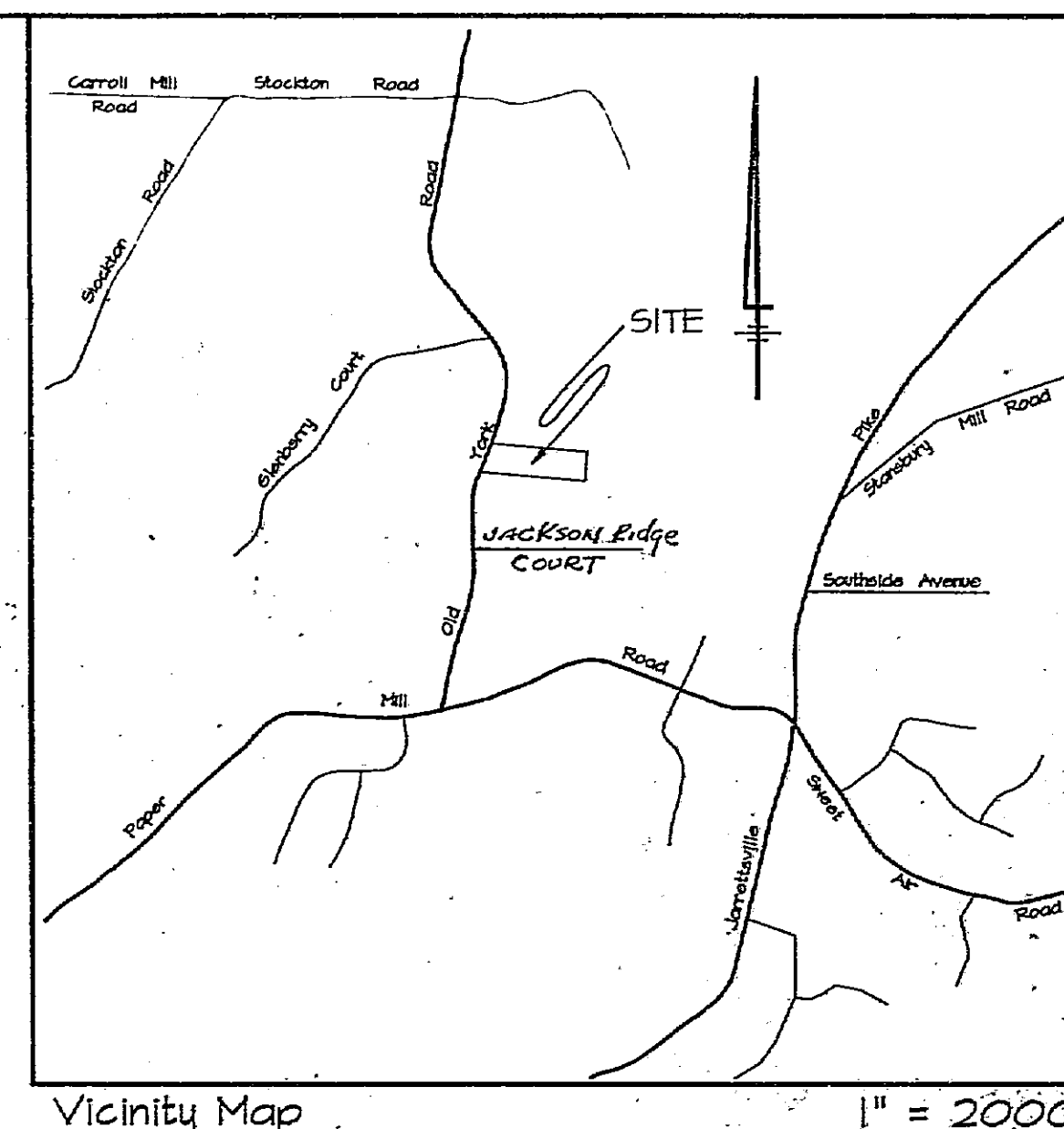
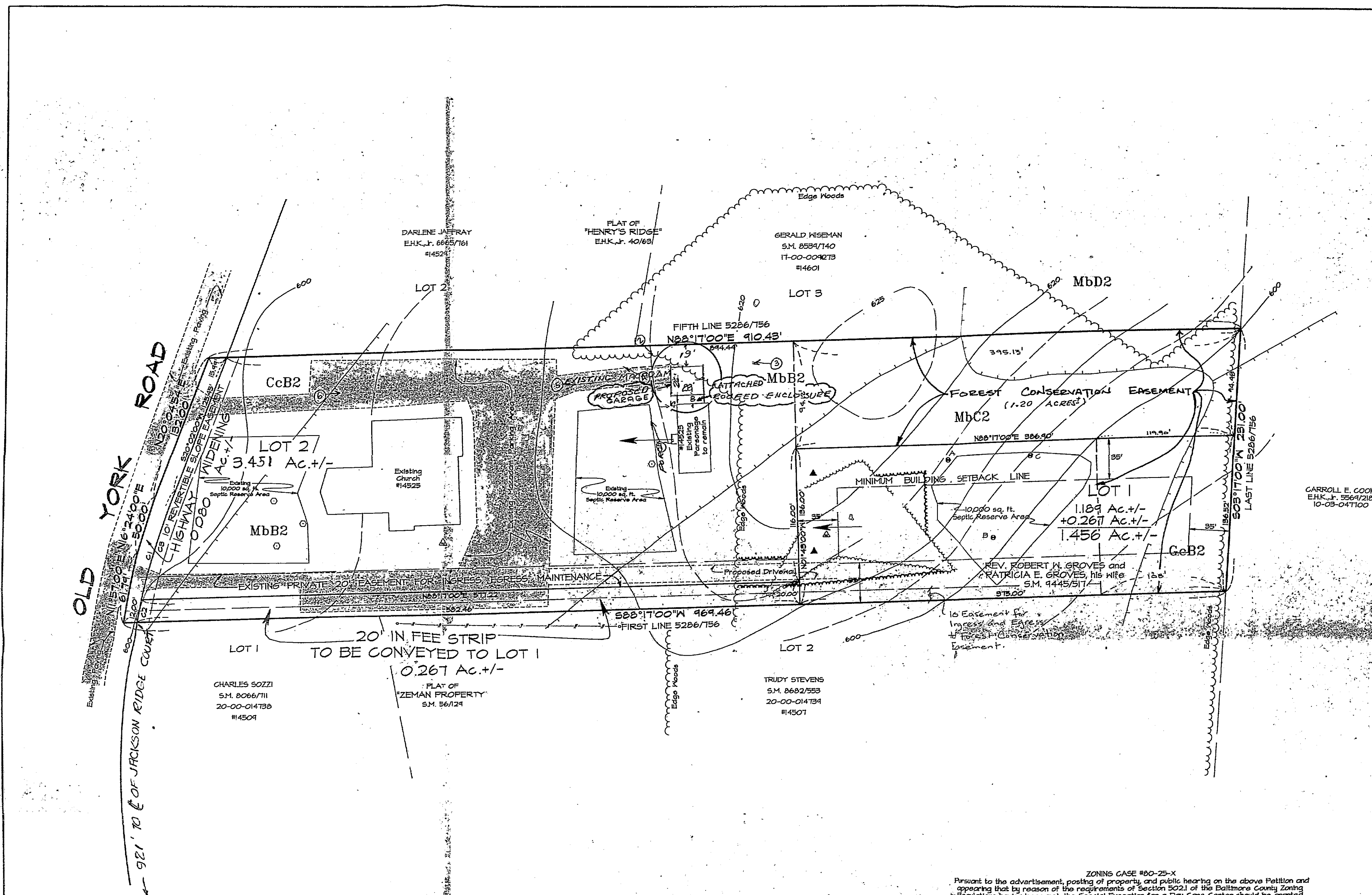
SYMBOLS LEGEND

- EXISTING DWELLING
- PROPOSED DWELLING
- EXISTING PAVING
- EXISTING SEPTIC
- PROPOSED PERC TEST
- PASSED PERC TEST
- LIMIT OF CLEARING
- SOIL LINE
- EXISTING WELLS
- EXISTING SEPTIC
- PROPOSED PERC TEST
- PASSED PERC TEST
- LIMIT OF CLEARING
- EXISTING MOODS LINE
- CONTOURS
- SLOPES < 25%
- EXISTING HOLE
- FAILED PERC TEST

Radius	Length	Delta	Tangent	Chd Bear.	Chord
C1	886.17'	114.44'	87°48'26"	84.82'	56°10'17"N
C2	886.17'	20.84'	0°22'18"	12.84'	92°15'04"W
C3	886.17'	48.78'	0°22'18"	44.44'	N6°30'24"E

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
CcB2	Slight	Slight	Moderate: Slope
GcB2	Slight	Slight	Moderate: Slope
MbB2	Slight	Slight	Moderate: Slope
MbC2	Moderate: Slope	Moderate: Slope	Severe: Slope
MbD2	Severe: Slope	Severe: Slope	Severe: Slope



- ### GENERAL NOTES
- BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, TOPOGRAPHY TAKEN FROM BALTIMORE COUNTY PHOTOGRAMMETRIC MAP NO. NE 21-C.
 - ALL LOTS SHOWN HEREON TO BE SERVED BY PRIVATE SEWER AND SEPTIC SYSTEMS.
 - SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 10.
 - CEILING TRAIL IS TO BE DONE IN THE SEPTIC RESERVE AREA.
 - WATERSEED PLANTING DISTRICT 801 SUBDIVISION
 - REMOVAL PLANNING DISTRICT 801 SUBDIVISION
 - HIGHWAY SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED INTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
 - BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAN TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT OF WAY FOR THE PURPOSE OF INGRESS, EGRESS, OR THE RIGHT TO OPEN OR EXCAVATE THE FOREGROUND RIGHT OR WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TV.
 - THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT BY THE OWNERSHIP SHOWN SINCE JULY 26, 1972. THE DEVELOPERS ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
 1. DESIGNATES THE 890' SIGHT LINE. THE AREA BETWEEN THE SIGHT LINE AND THE EDGE OF THE ROAD MUST BE CLEARED, GRADED, AND KEPT FREE OF ALL OBSTRUCTIONS.
 - THERE ARE NO UNDERGROUND FUEL STORAGE TANKS APPARENT ON THE SITE.
 - ALL EXISTING SEPTIC SYSTEMS, WELLS, AND PERCOLATION TESTS WERE FIELD LOCATED.
 - SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
 - NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREA.
 - ACCESS TO THE EXISTING DWELLINGS IS TO BE MAINTAINED AT ALL TIMES.
 - PANHANDLE IS SUBJECT TO DECLARATION AND MAINTENANCE AGREEMENTS TO BE RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY AT THE TIME OF FINAL REZONATION. FOR PANHANDLE LOTS, REMOTE COLLECTION SHOW REMOVAL AND ROAD MAINTENANCE WILL BE PROVIDED TO THE LOCATION OF THE PANHANDLE LOT (PRIVATELY OWNED) TO BE COLLECTED BY BALTIMORE COUNTY. THE PROPOSED PAVING SECTIONS SHALL BE BY CR-6 STONE WITH A 3" BITUMINOUS CONCRETE SURFACE ON ALL PANHANDLE ROADS, WENTON ARE RESERVES.
 - ENVIRONMENTS SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, INCLUDING BUT NOT LIMITED TO, GARAGES, PORCHES, DECKS, AND DRIVEWAYS, SHALL COMPLY WITH SECTIONS 400 AND 501 OF THE BALTIMORE COUNTY ZONING REGULATIONS, BUT NOT TO EXCEED THE HEIGHTS AND FOOTPRINTS OF THE PRINCIPAL BUILDINGS.
 - ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARD CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR WITHIN SCOPED DISTRICTS.
 - THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BUILDING CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN USED TO SUPPORT DWELLINGS SHOWN HEREON SHALL NOT BE FURTHER DIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY. ON SAID PLAN UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
 - THIS PROPOSED DEVELOPMENT IS IN CLOSE PROXIMITY TO ACTIVE AGRICULTURAL OPERATIONS. IT IS THE DEVELOPER'S RESPONSIBILITY TO ADVISE FUTURE HOMEOWNERS THAT AGRICULTURE HAS A PREFERRED USE STATUS AND THAT CROPS, NOISE, DUST, FARM EQUIPMENT, LIVESTOCK, AND THE USE OF AGRICULTURAL CHEMICALS (PESTICIDES, FERTILIZERS, HERBICIDES, AND OTHER CHEMICALS) ARE IN ACTIVE USE.
 - NO FURTHER SUBDIVISION OF THE PARCEL SHOWN HEREON WILL BE ALLOWED UNLESS APPROVED BY THE BALTIMORE COUNTY PLANNING AND ZONING COMMISSION.
 - A HEARING FOR A SPECIAL EXCEPTION FOR A CHURCH USE IN AN RC-2 ZONE IS BEING SUBMITTED TO THE OFFICE OF ZONING.
 - There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
 - *Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Record of Baltimore County and which restrict disturbance and use of these areas.*

PETITIONER'S

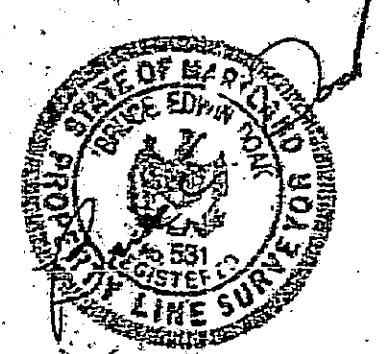
DENSITY CALCULATIONS

GROSS AREA	4.99 Acres +/-
NET AREA	4.97 AC +/-
LOTS PROPOSED	2

PLAN TO ACCOMPANY PHOTOGRAPHS
ITEM #321

PLAT TO ACCOMPANY PETITION FOR A SIDEYARD VARIANCE OF 19' IN LIEU OF REQUIRED 35' AND TO APPROVE A MINOR AMENDMENT TO THE SPECIAL EXCEPTION ZONING CASE NO. 93-452-X

JACKSONVILLE CHURCH OF GOD
14525 OLD YORK ROAD
Deed Ref: E.H.K., Jr. 5286 folio 756
Tax Account No.: 10-10-000260
Zone: RC-2
Tax Map 35; Grid 17; Parcel 180
10th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND



PAID FOR ZONING F-B. 6, 1996
Scale: 1" = 50' March 8, 1993

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towson Boulevard
Towson, Maryland 21206
(410) 825-4470

Radius	Length	Delta	Tangent	Chd Bear.	Chord
c1	886.17'	114.46'	94.82'	S161°01'17"N	114.81'
c2	886.17'	114.46'	94.82'	S161°01'17"N	114.81'
c3	886.17'	114.46'	94.82'	S161°01'17"N	114.81'

TYPE	SEPTIC FILTER FIELDS	HOUSES & BASEMENT	STREETS & PARKING
CcB2	Slight	5 grt	Moderate Slope
MbB2	Slight	5 grt	Moderate Slope
YcB2	Slight	5 grt	Moderate Slope
YcC2	Moderate Slope	Moderate Slope	Severe Slope
YcD2	Severe Slope	Severe Slope	Severe Slope

SYMBOLS LEGEND

- EXISTING DWELLINGS
- PROPOSED DWELLING
- EXISTING PAVING
- EXISTING SEPTIC
- PROPOSED PERC TEST
- PASSED PERC TEST
- LIMIT OF CLEARING
- SCIPES < 25%
- EXISTING WOODS LINE
- CONTOURS
- SOIL LINE
- DRY HOLE
- FALED PERC TEST
- EXISTING MOODS LINE

ZONING CASE 93-452-X

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and opening that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, the Special Exception for a Day Care Center should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of August, 1993, that the herein Petition for Special Exception for a day care center should be and the same is granted, from and after the date of this Order, subject, however, to the following restrictions:

- Limited to children between the ages of three and five years old and 20 in number.
- Hours of operation shall be from 7:00 AM to 5:30 PM, Monday through Friday.
- Approval of a site plan by the Department of Public Works, the Department of Health, the Fire Department, and the Office of Planning and Zoning, including landscaping approval by the Current Planning and Development Division.

ZONING CASE "93-452-X"

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

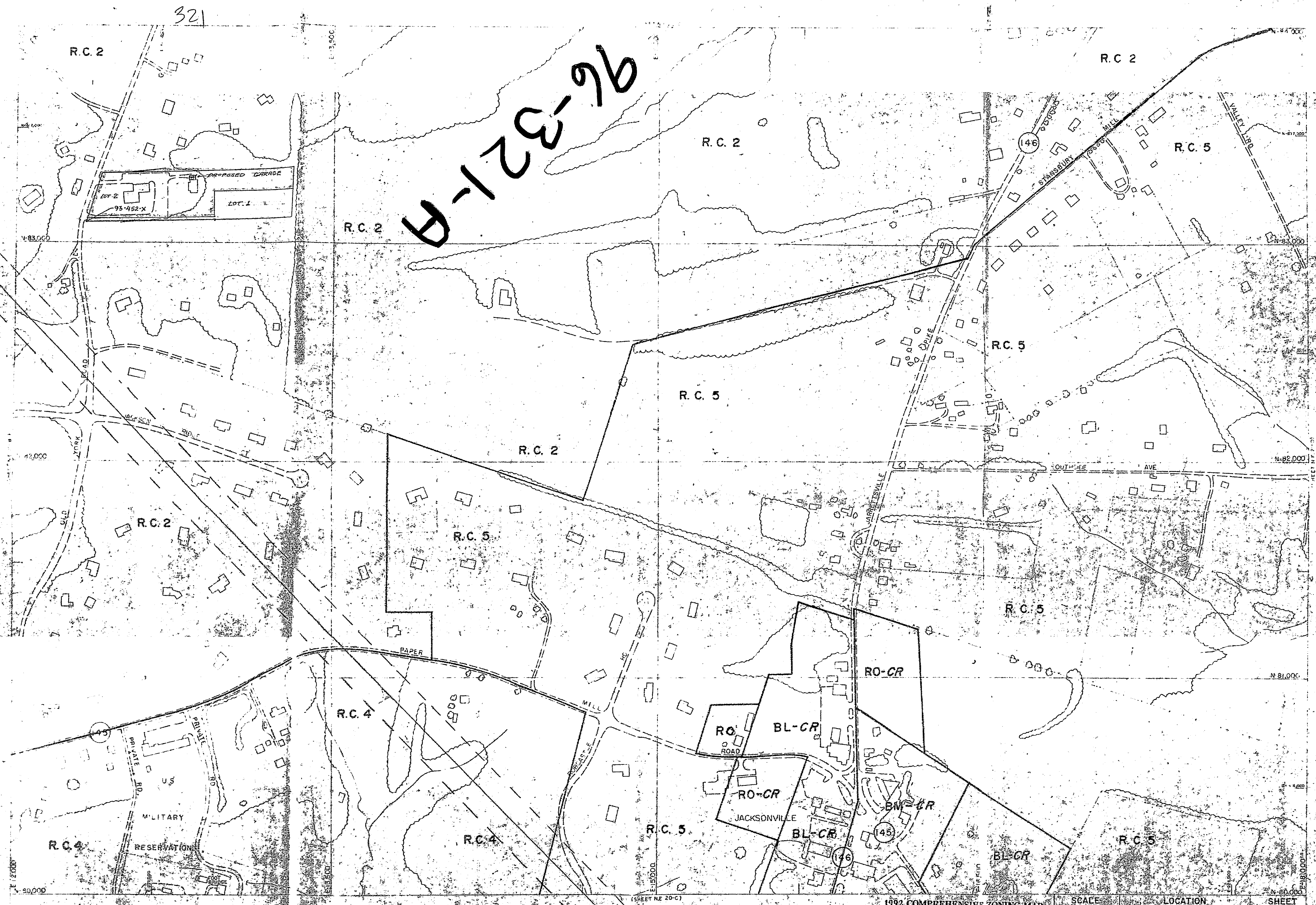
WHEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County by this 27th day of July, 1993 that the Petition for Special Exception to approve a church use on the subject property zoned R.C.2, pursuant to Section 1601.2-C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- The Petitioner is hereby made aware that proceeding with this use is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

OWNER/DEVELOPER

RF / ROBERT M. GROVES
JACKSONVILLE CHURCH OF GOD
14523 OLD YORK ROAD
JACKSONVILLE, MARYLAND 21181
410-527-0253

DATE	REVISION
8/24/93	Added ZONING CASE 93-452-X
8/24/93	Added Forest Conservation Easement
8/19/93	FIRST SUBMITTAL COMMENTS ADDRESSED
8/19/93	20' N FEE STRIP FOR LOT 1 ADDED



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard IV
Chairman, County Council

DATE OF PHOTOGRAPHY JANUARY 1986	LOCATION JACKSONVILLE	SHEET NE 21-C
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MICROFILMED